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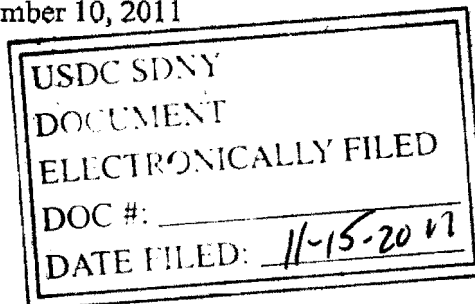
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MEMO ENDORSEMENT

November 10, 2011

BY FACSIMILEHonorable Cathy Seibel
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Facsimile No.: (914) 390-4278

**Nance M. Hutter v. Countrywide Bank, N.A., et al.;**
Case No. 09 CV 10092 (CS) (LMS)

Dear Judge Seibel:

We write this letter on behalf of Bank of America, N.A., successor by merger to defendant Countrywide Bank, N.A. ("BANA"), in response to plaintiff's counsel's November 9, 2011 letter.

Initially, on October 4, 2011, the Court ordered that plaintiff file the Third Amended Complaint ("TAC") by October 21, 2011 and that BANA file its answer three weeks later, by November 14, 2011. After counsel for plaintiff and BANA submitted letters to the Court regarding the TAC, the Court ordered plaintiff to file the TAC by October 31, 2011. Plaintiff failed to file the TAC by that date. Plaintiff's counsel and BANA's counsel then engaged in correspondence where BANA's counsel suggested that when plaintiff's counsel seeks leave to file the late TAC, in light of the Thanksgiving holiday, BANA be provided with four weeks to respond to the TAC. Accordingly, we respectfully request that if the Court grants plaintiff's application for leave to file the TAC by November 10, 2011 (November 11, 2011 is a federal holiday and the Court is closed), then BANA be allowed to file a response to the TAC by December 8, 2011.

*Defendants may have until 12/12/11 to ~~answer~~
answer or seek pre-motion conference as to
Third Amended Complaint.*

So Ordered.

Cathy Seibel, U.S.D.J.

Dated: 11/11/11

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Additionally, there is currently a conference scheduled for November 21, 2011. In light of the fact that issue will not be joined prior to the conference, please advise us if the conference will be adjourned.

Respectfully,

Kenneth Rudd / DPR

Kenneth C. Rudd

KCR:DPR

cc: Stephen A. Katz, Esq. (by email)
Scott Ackerman, Esq. (by email)
Todd Burnham, Esq. (by email)